REMARKS

Claims 1-35 are pending in this application. Claims 2, 3, and 18-35 are withdrawn from consideration. Claims 1, 4, 5, 8, 12 and 14 are rejected. Claims 6,7, 9, 11, 13 and 15-17 are objected to as being dependent upon a rejected claim. Applicant has amended her claims to address the concerns of Examiner. Applicant has also added new claims 37-39. No new matter has been introduced in the new claims. Applicant appreciates the reasoned and thorough Office Action of Examiner. Applicant respectfully requests reconsideration in light of the following remarks and amendments.

Restriction Requirement

Applicant contends that method Claims 26 and 30-35 are suitable subject matter for examination in this application and are also in condition for allowance. Examiner stated in his restriction of the "method of play" claims in this matter that the subject cards may be used as question cards for playing trivia games. Applicant believes these cards would be inappropriate for a trivia game because the card has both the question and the answer on the same side of the card. Therefore it would be less than challenging for a trivia game. The cards described in the present patent application are specifically designed for the match game of the present invention.

Further, it is a financial burden to Applicant, an independent inventor, to have this case divided into four smaller cases. As stated above, Applicant believes there is a valid basis for combining the method of play and apparatus claims of the present invention. Your reconsideration of this matter will be greatly appreciated.

Election of Species

Applicant elects Claim 4 as a species in the prosecution of the subject application. Claims 5, 6 and 7 are readable on Claim 4. Applicant traverses this election because the elected species is not patentably distinct from the other claimed species which are mere variations of the claimed invention. Applicant contends that all of the species remaining in the instant application are now dependent upon generic Claim 1 and therefore are not patentably distinct from the elected species. Further, new Claims 38 and 39 have been

added to claim the WELLNESS MATCH game, which was not claimed in the present application. Support for these claims is found in the present application at pages 25-28 of the specification.

Rejection Under 35 USC §112

The Examiner has rejected Claim 5 for the misplacement of the words "state capital" and "state". Applicant hereby amends claim 5 to place the appropriate term in the appropriate place. Applicant believes that Claim 5 is now in condition for allowance.

Rejection Under 35 USC §102

The Examiner has rejected Claim 1 under 35 USC §102(b) as being anticipated by Murray or Sturm et al. Applicant has amended Claim 1 to include a number of limitations. Amended Claim 1 now overcomes both Murray and Sturm et al. Applicant believes that Claim 1 is now in condition for allowance.

Rejection Under 35 USC §103

The Examiner has rejected Claims 4, 8, 12 and 14 under 35 USC §103(a) as being unpatentable over Murray. Applicant has amended Claim 1 to include a range of restrictions from which all claims now depend. Applicant believes that all of Examiners concerns have been addressed and that Claims 4, 8, 12 and 14 are now in condition for allowance.

Allowable Subject Matter

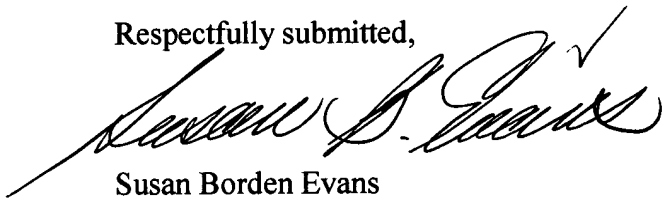
The Examiner has found Claims 6,7, 9, 11, 13 and 15-17 to contain allowable subject matter and would be allowed if rewritten in independent form containing all the restrictions of the intervening claims. The Applicant has narrowed generic Claim 1 to include the limitations of the intervening claims and suggests that these claims are now in condition for allowance.

CONCLUSION

In view of the amendments presented to overcome the rejections under 35 USC §112, 35 USC §102 and 35 USC §103, and the above discussion, it is believed that amended Claims 1,4-17, new Claims 37-39 and methods Claims 26 and 30-35 are all in condition for allowance.

If the Examiner has any questions, he is invited to contact Applicant's attorney at the number below.

Respectfully submitted,



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Dated:

OIPE JC171
AUG 20 2001
PATENT & TRADEMARK OFFICE

AMENDED CLAIMS WITH AMENDMENTS MARKED

1. (Amended) An educational card game comprising:

a plurality of game cards, each of said cards having a front side and a back side, the front side having subject matter information printed thereon and the back side having corresponding factual information relating to the front side of same card~~:~~, wherein, on the back side, half of the total number of cards have a name, of a name or fact in the center of the card, and a name of a corresponding matching fact in the lower right hand corner, and, on the back side, the other half of the total number of cards have a matching fact in the center, and a name or fact in the lower right hand corner.

5. (Amended) The card game of Claim 4 wherein 50 of the game cards are imprinted on the back side with a name of a state capital in center of card in bold print and in lower right hand corner a name of a corresponding state and 50 game cards are imprinted on the back side thereof with the name of a state ~~capital~~ in center of card in bold print and in a lower right hand corner a name of a corresponding state capital.

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